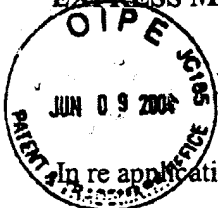


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David J. O'REILLY, *et al.*

Appl. No. 09/977,064

Filed: October 11, 2001

For: INTERACTIVE CORRELATION OF
COMPOUND INFORMATION AND
GENOMIC INFORMATION

Art Unit: 1631

Examiner: Zeman, Mary K.

Atty. Docket: 03916.0034.NPUS00

Confirmation No. 1787

AMENDMENT AND RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

Sir:

This is in response to the Office Action dated December 9, 2003, and is submitted on or before the extended due date of June 9, 2004. A constructive petition for a three-month extension of time under 1.136(a)(3) and its requisite fee under 1.17(a) of \$475.00 is authorized to be charged to our Deposit Account No. 08-3038 referencing docket number 05882.0034.NPUS00.

If additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby constructively petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 08-3038 referencing docket number 03916.0034.NPUS00.

The Examiner is requested to enter the amendments and consider the application.

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example, Pati et al., does not teach selecting a standard gene expression profile from a chemical genomic database and using correlation information related to that profile to determine a biological activity of a compound. Similarly, as currently amended, claims 10-12 directed to a system for analyzing chemical genomic data are not taught by Pati et al. In particular, Pati et al. does not disclose a system with a database comprising gene expression profiles, bioassay profiles and compound information for each of a plurality of standard compounds in the database. Consequently, Applicants respectfully request that the rejection of the claims as anticipated by the Pati et al. reference be withdrawn.

The Examiner also rejected claims 1-8 and 10-12 under 35 U.S.C. § 102(e) as anticipated by Bassett Jr. et al., (US 6,453,241 B1). As currently amended, claims 1-8 and 10-12 are not taught by Bassett Jr. et al. Bassett Jr. et al. does not disclose a method of analyzing chemical genomic data or system that includes a database comprising gene expression profiles, bioassay profiles and compound information for each of a plurality of standard compounds in the database. Consequently, Applicants respectfully request that the rejection of the claims as anticipated by the Pati et al. reference be withdrawn.

CONCLUSION

Applicants believe that the application is in good and proper condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 463-8133.

Respectfully submitted,


Adam K. Whiting (Reg. No. 44,400)

Date: June 9, 2004

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